**Report of the UN Special Rapporteur on the right to adequate housing to the
52nd session of the Human Rights Council**

**The right to adequate housing and climate change**

**Questionnaire**

Name of submitting entity, organization or individual: \_\_\_Netherlands Institute for Human Rights\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Contact e-mail: (contact e-mail will be deleted when published)

***Impact of climate change on the right to adequate housing***

*In real life*

1. In your country, what have been the main effects of the climate crisis, on the enjoyment of the right to adequate housing? Please specify whether there have been any climate-induced impacts on the security of tenure, availability, affordability, accessibility, habitability, location and cultural adequacy of housing, including climate crisis related displacement.[[1]](#footnote-1)

In the summer of 2021, the south of the Netherlands saw severe floods, which caused damages estimated around 200 million euros. Researchers have found the floods to be the result of climate change[[2]](#footnote-2). As a result of the floods, thousands of houses were damaged. Repairs are still underway and compensation has not been completed, meaning that inhabitants have been unable to return to their homes.

In addition, climate change has led to higher temperatures in the Netherlands, with temperatures rising to 35+ degrees Celsius. This affects the habitability of housing, in particular for rental housing, where isolation is often insufficient. A big problem is landlords being unwilling to improve the isolation of their properties.

1. Are there differences how the climate crisis affects the right to adequate housing in urban and rural areas? If yes, is there an interrelationship between the two?

In urban areas, housing is often built very close to each other, without many options to escape the heat, such as parks or bodies of water. In rural areas, housing is often bigger, with more greenery to absorb the heat. As such, people living in small, badly isolated (often rental) housing in urban areas are affected more heavily.

1. Are there groups distinctly affected in the enjoyment of their right to adequate housing as a result of the climate crisis? Please describe in what way.

People living in badly isolated rental (social) housing, which are often people with a lower socio-economic status.

1. How is the right to adequate housing ensured for persons that have been internally or internationally displaced by the climate crisis? How and under what conditions is their right to voluntarily return ensured?

N/A

1. When housing has been damaged or lost due to climate-induced events, what has been the related impact on the lives, health and livelihoods of the affected populations?

The impact of the floods has been extensive, with inhabitants being forced to leave their homes while repairs are underway.

1. How have people been able to access redress and compensation for damages to or loss of their housing as a result of the climate crisis and extreme weather events? What are the main obstacles to accessing timely redress and compensation, and what could be effective solutions?

For the floods, the national government used the ‘Law for the compensation of disasters’, which made compensation available for people whose damage was not insured. The main obstacles were that compensation was only available for people living in a certain area, whereas people right outside that are were also affected.

1. Please indicate any key rulings of national courts and tribunals protecting tenants and home owners from the impact of the climate crisis or on their right to adequate housing or related to climate induced displacement? Please also describe their outcome and impact?

*In measures*

1. Please explain how energy efficiency, green urban planning, climate mitigation and adaptation policies and programmes take into account the right to adequate housing. What measures have been taken to ensure that they do not have any (unintended) discriminatory impact on particular population groups?
2. Please explain how natural disaster preparedness, response and recovery/reconstruction strategies and plans ensure non-discrimination?
3. What are the main barriers to addressing and mitigating the adverse impacts of climate change on the realization of the right to adequate housing?

***Impact of housing on climate change***

1. How does the housing sector in rural and urban areas contribute to climate change? It may be helpful to think in terms of:
* energy consumption for heating, cooling, cooking, lighting of housing;
* urban sprawl and related climate impacts (soil sealing, commuter traffic etc.);
* increase of average per capita living space;
* water use;
* emission of pollutants;
* climate impact of construction and used construction materials;
* deforestation, desertification and loss of biodiversity caused by housing development projects.

Please provide as well any statistical information on the climate impact of the housing sector compared to other sectors in your country.

1. What measures are being implemented in rural and urban areas to reduce and eliminate the adverse impacts of the housing sector on the climate? How successful have been these programmes?
2. What are the main barriers to reducing and eliminating the adverse impacts of the housing sector on the climate?

***Towards*** ***a just transition to a rights-compliant, climate-resilient and carbon-neutral housing***

1. What specific legislation, policies, or programmes have been adopted to put in place and finance a just transition to a rights-compliant, climate-resilient and carbon-neutral housing for all, without discrimination?
2. What measures have been taken to ensure that the costs of green transition in the housing sector are fairly shared between public authorities, taxpayers, homeowners, and tenants/renters or other affected interest groups, and to ensure the continued affordability of housing?
3. What adaptation strategies are needed to ensure the continued habitability of housing in the face of the climate crisis? (protection from e.g. heat, flooding, extreme weather, etc.)
4. How are different interest groups, including marginalized communities, homeowners and tenants, being consulted, and able to participate in the design, implementation, monitoring and evaluation of:
* legislation, policies, or programmes been adopted that provide for specific measures to ensure the realization of the right to adequate housing in the face of the climate crisis;
* natural disaster preparedness, response and reconstruction, as well as in mitigation and adaptation efforts;
* measures to reduce and eliminate the adverse impacts of the housing sector on climate.
1. What is the role of international cooperation, technology transfer and development assistance of States and multilateral agencies to ensure a just transition?
2. What are the main barriers to achieving such a just transition?

***Other issues***

1. Please use this space to indicate any issue that should be considered for this report.

**Submission instructions**

**Deadline:** **8 July 2022**

**Email:** Please return this questionnaire to: ohchr-srhousing@un.org; ohchr-registry@un.org

**Email subject line:** Input for SR housing - report on climate change

**Accepted File formats:** Word only (supporting documents may as well be submitted in PDF)

**Accepted languages:** English, French and Spanish

Please include references to reports, academic articles, policy documents, text of legislation and, judgements, statistical information with hyperlinks to their full text or source or attach them to your submission (please respect total file size limit of 20 MB to ensure that it can be received)

**Potential confidentiality:** Please indicate on top of this questionnaire and in your e-mail if you want to have this submission or any particular attachment not to be published on the website of the Special Rapporteur and treated as confidential.

**Expected presentation** of the report of the Special Rapporteur: February/March 2023

1. Under international law, the right to adequate housing is more than having four walls and a roof. It is essentially the right to live in a place in peace, security and dignity. Housing adequacy covers the following seven essential elements: legal security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location; and cultural adequacy. For organizations and stakeholders that may not be as familiar with the right to adequate housing in international human rights law, please consult General Comment No. 4 of the UN Committee on Economic, Social and Cultural Rights, available [here](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fGEC%2f4759&Lang=en). [↑](#footnote-ref-1)
2. <https://www.worldweatherattribution.org/heavy-rainfall-which-led-to-severe-flooding-in-western-europe-made-more-likely-by-climate-change/> [↑](#footnote-ref-2)